

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:14cv193**

TERESA ANN HENSLEY, et al.,

Plaintiffs,

v.

BOBBY R. SUTTLES, et al.,

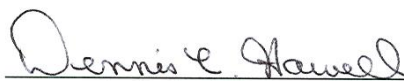
Defendants.

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ORDER

Pending before the Court is the Motion to Substitute [# 18]. Plaintiffs move pursuant to Rule 19 of the Federal Rules of Civil Procedure to substitute Chief Deputy Larry Bryson and Patrol Captain David Mitchell for the John Doe Defendants. The Court **DENIES without prejudice** the motion [# 18] for failure to comply with Local Rule 7.1. In addition, Rule 19 is not the proper mechanism for substituting a party. Plaintiffs should either obtain the written consent of Defendants to file a Second Amended Complaint naming the proper parties, or file a motion with the Court seeking leave to amend.

Signed: September 24, 2014



Dennis L. Howell
United States Magistrate Judge

